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9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

11
12 CENTER FOR ENVIRONMENTAL
13 HEALTH *et al.*,

14 Plaintiffs,

15 v.

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17 THOMAS VILSACK, in his official capacity as
Secretary of U.S. Department of Agriculture *et*
18 *al.*,

19 Defendants.
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Case No. 3:18-cv-01763-RS

JOINT STATUS REPORT

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Pursuant to this Court's order on March 4, 2022, ECF No. 176, the parties file the following status report:

1. On March 4, 2022, this Court granted USDA's motion for voluntary remand without vacatur and ordered the parties to file a status report within 180 days. ECF No. 176.

2. On August 9, 2022, the United States Department of Agriculture published for public comment in the Federal Register a Notice of Proposed Rulemaking for the National Organic Program (NOP); Organic Livestock and Poultry Practices Rule, 87 Fed. Reg. 48,562 (Aug. 9, 2022) (NPRM).

3. The parties filed a status report on March 1, 2023, updating the Court on the status of the rulemaking and proposing that the parties file a status report in 90 days. Dkt. 179. The parties recently realized that they had missed their proposed deadline, and now update the Court with the following: The public comment period for the NPRM closed on November 10, 2022. USDA received 39,712 comments on the NPRM. USDA also hosted a virtual listening session on August 19, 2022, regarding the proposed rule. The Rule now appears on the OPB regulatory dashboard, <https://www.reginfo.gov/public/jsp/EO/eoDashboard.myjsp>, and USDA anticipates publication of a Final Rule in 2023.

4. The parties conferred and jointly propose filing another status report in 90 days to update the Court on the status of the rulemaking.

Dated: August 14, 2023

Respectfully submitted,

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